

111TH CONGRESS  
1ST SESSION

# S. 1578

To amend chapter 171 of title 28, United States Code, (commonly referred to as the Federal Torts Claim Act) to extend medical malpractice coverage to free clinics and the officers, governing board members, employees, and contractors of free clinics in the same manner and extent as certain Federal officers and employees.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2009

Mr. LEAHY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend chapter 171 of title 28, United States Code, (commonly referred to as the Federal Torts Claim Act) to extend medical malpractice coverage to free clinics and the officers, governing board members, employees, and contractors of free clinics in the same manner and extent as certain Federal officers and employees.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF MEDICAL MALPRACTICE COV-**  
 2 **ERAGE TO FREE CLINICS.**

3 (a) IN GENERAL.—Chapter 171 of title 28, United  
 4 States Code, is amended by adding after section 2680 the  
 5 following:

6 **“§ 2681. Medical malpractice coverage for free clinics**

7 “For purposes of applying the remedy against the  
 8 United States provided by sections 1346(b) and 2672 of  
 9 this title and for purposes of section 224 of Public Law  
 10 78–410 (42 U.S.C. 233) a free clinic defined under section  
 11 224(o)(3)(A) of that Act shall be treated as an entity de-  
 12 scribed under section 224(g)(4) of that Act. The author-  
 13 ization of appropriations under section 224(o)(6)(A) of  
 14 that Act shall apply to the acts or omissions of officers,  
 15 governing board members, employees, and contractors of  
 16 free clinics”.

17 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) TABLE OF SECTIONS.—The table of sections  
 19 for chapter 171 of title 28, United States Code, is  
 20 amended by adding at the end the following:

“2681. Medical malpractice coverage for free clinics.”.

21 (2) REFERENCE.—Section 224(g)(4) of the  
 22 Public Law 78–410 (42 U.S.C. 233(g)(4)) is amend-  
 23 ed by inserting “or a free clinic as provided under  
 24 section 2681 of title 28, United States Code” before  
 25 the period.

1 **SEC. 2. EFFECTIVE DATE.**

2       The amendments made by this Act shall take effect  
3 on the date of enactment of this Act and apply to any  
4 act or omission which occurs on or after that date.

